



06-22-00

09/582482

526 Rec'd

PTO 21 JUN 2000

CT  
#

PATENT

Attorney Docket No. PH 97089 (5500\*48)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAIL  
(37 C.F.R. § 1.10)

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, EXPRESS MAIL POST OFFICE  
TO ADDRESSEE" UNDER 37 C.F.R. § 1.10, BEARING EXPRESS MAIL LABEL NO. EK219526394 ON THIS 21st DAY OF  
June, 2000 AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

*Diane C Pickering*  
BY: *Diane C Pickering*

INT'L APPL. NO.: PCT/FR98/02819 )

INT'L FILING DATE: December 22, 1998 )

PRIORITY DATE: December 24, 1997 )

APPLICANT: Richard DEROSE )  
Alain SAILLAND )

Art Unit: Unassigned

SERIAL NO.: To be assigned )

Examiner: Unassigned

FILED: June 21, 2000 )

FOR: METHOD FOR ENZYMATIC )  
PREPARATION OF HOMOGENISATE )

Asst. Commissioner for Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

**TRANSMITTAL OF APPLICATION PAPERS TO U.S.  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. § 371 (37 CFR 1.494 OR 1.495)**

This transmittal letter is based upon Form PTO-1390.

The above-identified applicant has filed an International Application under the PCT and

**International Application No. PCT/FR98/02819**

hereby submit(s) to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is the **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is the **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay.
4. ☒ A proper Demand for International Preliminary Examination (IPE) was made to the appropriate Authority (IPEA) by the 19th month from the earliest claimed priority date (see attached).
5. ☒ A copy of the International Application as amended (35 U.S.C. §371(c)(2)) -
  - (a) ☐ is transmitted herewith (required when not transmitted by International Bureau).
  - (b) ☒ has been transmitted by the International Bureau.
  - (c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into the English language **WILL FOLLOW**.
7. ☒ Amendments to the (specification and) claims of the International Application under PCT Article 19 (35 U.S.C. §371 (c)(3))
  - (a) ☐ are transmitted herewith (required if not transmitted by the International Bureau).
  - (b) ☐ have been transmitted by the International Bureau.
  - (c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - (d) ☒ have not been made and will not be made.
  - (e) ☐ will be submitted with the appropriate surcharge.
8. ☐ A translation of the amendments to the claims (and/or the specification) under PCT Article 19 (35 U.S.C. §173(c)(3)) is enclosed or will be submitted with the appropriate surcharge.

**International Application No. PCT/FR98/02819**

9. ☐ An unexecuted Oath or Declaration/Power of Attorney of the inventor(s) (35 U.S.C. §371(c)(4)) is enclosed.
10. ☐ A translation of at least the Annexes to the IPE Report under PCT Article 36 (35 U.S.C. §371(c)(5)) is enclosed.

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 is enclosed.
12. ☐ An Assignment is enclosed for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31. is included.
13. ☐ **A FIRST preliminary amendment is enclosed. IT IS REQUESTED THAT THE FILING FEES FOR THE CLAIMS BE CALCULATED AFTER THE CLAIM AMENDMENTS IN THE PRELIMINARY AMENDMENT HAVE BEEN ENTERED.**
14. ☐ A substitute specification (including claims, abstract, drawing) is enclosed.
15. ☐ A change of Power of Attorney and/or address letter is enclosed.
16. ☒ Other items of information:
- [x] This application is being filed pursuant to 37 CFR 1.494(c) or 1.495(c), and any **missing parts** will be filed within the time period set in accordance with 35 C.F.R. 1.495(C).
- ☐ 22 months from the priority date under 37 CFR 1.494(c), or
- ☐ 32 months from the priority date under 37 CFR 1.495(c).
- ☐ The undersigned attorney is authorized by the International application and by the inventors to enter the **National Phase** pursuant to 37 CFR 1.494(c) or 1.495(c).

The following additional information relates to the International Application:

- ☐ Receiving Office: EPO (originally filed in the German Patent Office)

**International Application No. PCT/FR98/02819**

- ☒ IPEA (if filing under 37 CFR 1.495): EPO  
☒ Priority claim(s) (35 USC §§ 119, 365): French 97/16727  
 Filed: December
- ☒ A copy of the International Search Report is  
☒ enclosed.  
☐ attached to the copy of the International Application.
- ☒ A copy of the Receiving Office Request Form is enclosed.

17. ☐ Small Entity Form

The fee calculation is set forth below.

**FEE CALCULATION**

**NOTE: IT IS REQUESTED THAT THE FILING FEES FOR THE CLAIMS BE CALCULATED AFTER THE CLAIM AMENDMENTS IN THE PRELIMINARY AMENDMENT HAVE BEEN ENTERED.**

- ☒ A check in payment of the filing fee, calculated as follows, is attached (37 CFR 1.492)

Basic Fee ..... \$840.00

Total Number of claims  
in excess of (20) times \$18 ..... \$0.00

Number of independent claims  
in excess of (3) times \$96 ..... \$0.00

Fee for multiple dependent  
claims \$260 ..... \$260.00

**TOTAL FILING FEE ..... \$1100.00**

Kindly send us the official filing receipt.

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 03-2775. This is a "general authorization" under 37 CFR 1.25(b), except that no automatic debit of the issue upon allowance is authorized. This letter is being submitted in triplicate.

09/582482

532 Rec'd PCT/PTC 21 JUN 2000

International Application No. PCT/FR98/02819

Respectfully submitted,

CONNOLLY/BOVE LODGE & HUTZ LLP

Date: June 21, 2000

By: 

Robert G. McMorrow, Jr.

Reg. No. 30,962

1220 Market Street

P.O. Box 2207

Wilmington, DE 19899

Tel. (302) 658-9141

96874

96874